

**1**

**CERTIFICATE OF SERVICE**

I, DAVID G. CULLEY, hereby certify that on this 2<sup>nd</sup> day of December, 2005, I electronically filed the attached Defendant's Motion to Dismiss with the Clerk of Court using CM/ECF which will send notification of such filing(s) to the following:

Anthony Lewis Ware  
2412 N. Monroe St.  
Wilmington, DE 19802

I hereby certify that on this 2<sup>nd</sup> day of December, 2005, I have mailed by United States Postal Service, the Appendix to Defendant Ball Plastic Container Corp.'s Motion to Dismiss to the following participants:

Anthony Lewis Ware  
2412 N. Monroe St.  
Wilmington, DE 19802

**TYBOUT, REDFEARN & PELL**

*/s/ David G. Culley*

---

**DAVID G. CULLEY, I.D. # 2141**  
**TIMOTHY S. MARTIN, I.D. # 4578**  
300 Delaware Avenue, 11th Floor  
P.O. Box. 2092  
Wilmington, DE 19899-2092  
(302) 658-6901  
E-mail Address: [dculley@trplaw.com](mailto:dculley@trplaw.com)  
Attorney for Defendant Ball Plastic Corp.